

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In re : Chapter 11  
: Case No. 08-13555 (JMP)  
LEHMAN BROTHERS HOLDINGS, INC., :  
*et al.*, : (Jointly Administered)  
Debtors. :  
:  
-----x

**NOTICE OF NON-OBJECTION BY THE UNITED STATES TRUSTEE RE:  
DEBTORS' MOTION TO EXPAND THE SCOPE OF RETENTION OF SIMPSON  
THACHER & BARTLETT LLP *NUNC PRO TUNC* AS SPECIAL COUNSEL  
PURSUANT TO SECTIONS 327(e) AND 328(a) OF THE BANKRUPTCY CODE  
AND RULE 2014 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

TO: THE HONORABLE JAMES M. PECK, UNITED STATES BANKRUPTCY JUDGE:

Diana G. Adams, the United States Trustee for Region 2, in furtherance of the duties and responsibilities set forth in 28 U.S.C. §§ 586(a)(3) and (5), hereby files her notice of non-objection in the chapter 11 cases of Lehman Brothers Holdings, Inc. and related debtors in possession (the “Debtors”), as follows:

Under current Court consideration is the “Debtors’ Motion to Expand the Scope of Retention of Simpson Thacher & Bartlett LLP *Nunc Pro Tunc* as Special Counsel Pursuant to Sections 327(e) and 328(a) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure” (the “Motion,” Docket No. 3216).

The United States Trustee has reviewed the Motion. Based on that review and her monitoring of the Debtors’ bankruptcy cases, the United States Trustee has no objection to the Motion.

**WHEREFORE**, in light of the foregoing, the United States Trustee respectfully requests that the Court grant such relief as the Court may deem appropriate and just.

Dated:           New York, New York  
                 April 2, 2009

Respectfully submitted,  
DIANA G. ADAMS  
UNITED STATES TRUSTEE

By: /s/ Andrew D. Velez-Rivera  
Trial Attorney  
33 Whitehall Street, 21st Floor  
New York, New York 10004  
Tel. No. (212) 510-0500  
Fax No. (212) 668-2255